AMENDMENT AND RESPONSE UNDER 37 CFR § 1.111

Page 2 Dkt: 884.027US1 (INTEL)

Serial Number: 09/459,703

Filing Date: December 13, 1999

Title: SYSTEM AND METHOD FOR REPRODUCING SYSTEM EXECUTIONS USING A REPLAY HANDLER (As Amended)

Assignee: Intel Corporation

# **IN THE DRAWINGS**

Corrected drawings are supplied herewith, each labeled as "REPLACEMENT SHEET" or "NEW SHEET".

Applicant has added Figure 5.

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#### REMARKS

This responds to the Office Action mailed on November 17, 2005.

No claims are amended, claims 6-9 and 17-19 are canceled, and no claims are added; as a result, claims 1, 2, 4, 5, 10-16, and 20-26 are now pending in this application.

### §112 Rejection of the Claims

Claims 6-9 and 17-19 were rejected under 35 USC § 112, second paragraph. Applicant has canceled claims 6-9 and 17-19.

# §103 Rejection of the Claims

Claims 6-9 and 17-19 were rejected under 35 USC § 103(a) as being unpatentable over Deao et al. (U.S. 6,065,106) in view of Kawasaki (U.S. 5,301,198). Applicant has canceled claims 6-9 and 17-19.

#### 37 CFR 1.83(a) Rejection of the Drawings

The drawings were rejected under 37 CFR 1.83(a). Applicant has amended the drawings, adding Figure 5. Support for newly added Figure 5 can be found in the Instant Application *inter alia* at Page 7, Lines 9-17. Additionally, Applicant has amended the specification to include reference numerals referring to Figure 5.

New Figure 5 shows the following claim features:

Claim 1 - "wherein the processor is to compare results from one of the executions of the plurality of instructions to results from another of the executions of the plurality of instructions."

Claim 10 - "wherein the host system is to compare a first result of replaying the at least one execution to a second result of replaying the at least one execution."

Claim 20 - "comparing results of replaying the execution one time to results of replaying the execution other times."

Claim 23 - "comparing results of replaying the execution one time to results of replaying the execution multiple times."

Applicant has canceled claims 6 and 17.

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In light of the amended figures, Applicant submits that the application meets the requirements of 37 CFR 1.83(a).

### Allowable Subject Matter

Claims 1-5, 10-16 and 20-26 were indicated as being allowable. Applicant believes that the Examiner meant to indicate that claims 1, 2, 4, 5, 10-16 and 20-26 were allowed, as claim 3 was previously canceled. Applicant thanks the Examiner for identifying the allowable claims.

# Reservation of Rights

Applicant does not admit that documents cited under 35 U.S.C. §§ 102(a), 102(e), 103/102(a), or 103/102(e) are prior art, and reserves the right to swear behind them at a later date. Arguments presented to distinguish such documents should not be construed as admissions that the documents are prior art. Applicant also reserves the right to pursue canceled and originally filed claims in a continuation application. Furthermore, Applicant does not acquiesce to any of the Examiner's assertions about the claims or the cited documents and reserves the right to argue these assertions in the future.

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## Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney, Andrew DeLizio at (281)-213-8980, or Applicant's below-named representative to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

KIRAN A. PADWEKAR

By his Representatives, SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A. Attorneys for Intel Corporation P.O. Box 2938 Minneapolis, Minnesota 55402 (612) 349-9592

Date <u>fan. 17, 2004</u>

Ann M. McCrackin Reg. No. 42,858

<u>CERTIFICATE UNDER 37 CFR 1.8:</u> The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this \_\_17th\_\_\_ day of <u>January 2006</u>.

Amy Moriarty	
Name	Signature